

THURSDAY, FEBRUARY 20, 1997

NINTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Phillip Lovelace, First Baptist Church, Somerville, Tennessee.

Representative Walley led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 50: Rep(s). Sands as prime sponsor(s).

House Bill No. 39: Rep(s). Boyer as prime sponsor(s).

MESSAGE FROM THE SENATE
February 20, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 64; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

Senate Joint Resolution No. 64 -- Naming and Designating - "Leona Lusk Officer Black Cultural Center," Tennessee Technological University. by *Burks.

**ENROLLED BILLS
February 20, 1997**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 51; also, House Resolution(s) No(s). 17 and 18.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
February 20, 1997**

The Speaker signed the following: House Bill(s) No(s). 51; also, House Resolution(s) No(s). 17 and 18.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS
February 20, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s) 53 and 60.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 20, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 53; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS
February 20, 1997**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 43 and 45, also, House Joint Resolution(s) No(s) 47, 50, 51, 55, 56, 57, 58, 59 and 62.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 20, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 41, 44 and 45; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
February 20, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 60; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 24** -- General Assembly, Studies - Creates special committee to study the community reinvestment ratings and practices of financial institutions designated as state depositories. by *Brown.

Commerce Committee

***House Joint Resolution No. 52** -- General Assembly, Studies - Continues special joint committee to study extension of emergency telephone service charge to cellular and other wireless telecommunications service and other issues relative to cellular telephones. by *Hargrove.

Commerce Committee

***House Joint Resolution No. 54** -- Memorials, Congress - Memorializes Congress to appropriate funding replacement of the Chickamauga Lock. by *Newton, *Sharp, *Bird, *Stulce, *Wood, *McAfee, *Brown, *Turner (Hamilton).

Conservation & Environment Committee

***House Joint Resolution No. 61** -- General Assembly, Studies - Continues and extends reporting deadline for department of economic and community development study (HJR 50 of the 99th General Assembly) relative to businesses owned by women in Tennessee for one year until October 1, 1998. by *Halteman Harwell.

Commerce Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1305 -- Veterinarians - Permits veterinarian to administer free emergency treatment to ill or injured animal without civil liability (except in gross negligence cases) Amends TCA Title 63, Chapter 12. by *Buck.

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1306 -- Civil Procedure - Expands personal jurisdiction and out of state service of process based on enduring relationship or conduct; provides for personal jurisdiction on any basis authorized by law or by state or federal constitutions. Amends TCA Title 20, Chapter 22, Part 2. by *Buck.

House Bill No. 1307 -- Insurance, Health, Accident - Mandates insurance coverage for care required for treatment of diabetes; also requires coverage for outpatient self-management training and educational services, including medical nutrition therapy when prescribed by a physician. Amends TCA Title 56, Chapter 7, Part 26. by *Buck.

House Bill No. 1308 -- Judges and Chancellors - Requires speakers of senate and house to appoint members to judicial evaluation commission from nominees submitted by Tennessee Municipal League and Tennessee County Services Association. Amends TCA Section 17-4-201. by *Buck.

House Bill No. 1309 -- Courts - Requires house and senate speakers to appoint members to judicial selection commission from nominees submitted by Tennessee Municipal League and Tennessee County Services Association. Amends TCA Section 17-4-102. by *Buck.

House Bill No. 1310 -- Sunset Laws - Adds human and community service delivery agencies to sunset provisions; such agencies to sunset June 30, 2000. Amends TCA Title 4, Chapter 29; Title 13, Chapter 26 and Title 71, Chapter 5. by *Turner (Shelby), *Kisber, *Bird.

***House Bill No. 1311** -- Dentists - Permits dental hygienists to render dental hygiene care without supervision for chronically ill persons in hospice care. Amends TCA Title 63, Chapter 5. by *Patton, *Westmoreland, *Ford S, *Godsey, *Mumpower, *Whitson, *McKee, *Newton, *Roach, *Davis R, *Cole (Carter), *Walker, *Sharp.

House Bill No. 1312 -- Nurses, Nursing - Provides for board of nursing to establish continuing education requirements for relicensure of registered nurses and licensed practical nurses. Amends TCA Title 63, Chapter 7. by *Chumney, *Kisber, *Givens, *Halteman Harwell.

House Bill No. 1313 -- Alcoholic Beverages - Permits sale of beer in 22, 25.4 and 40 ounce containers. Amends TCA Section 57-6-104(i). by *Kent.

House Bill No. 1314 -- Banks and Financial Institutions - Enacts "Banking Facilities Safety Act of 1997." Amends TCA Title 45. by *Williams (Williamson), *Phelan, *Rhinehart, *Fowlkes.

House Bill No. 1315 -- Municipal Government - Removes cities from five year average maintenance of effort requirement for eligibility to receive share of local gas tax revenues. Amends TCA Section 67-3-617(d). by *Fowlkes, *Kent, *Hargett, *West, *Jones U (Shelby), *Tindell, *Pruitt, *Langster.

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1316 -- State Government - Revises legislative staff support services. Amends TCA Title 2, Chapter 3; Title 3; Title 4; Title 49, Chapter 9, Part 4 and Title 49, Chapter 50, Part 6. by *Hargrove.

House Bill No. 1317 -- Firearms and Ammunition - Clarifies that ten day notification period relative to denial of handgun period is period of ten working days. Amends TCA Title 39, Chapter 17, Part 13. by *Hargrove.

House Bill No. 1318 -- TennCare - Makes children who lack health insurance or access to such insurance eligible for medical assistance. Amends TCA Title 71, Chapter 5, Part 1. by *Eckles.

House Bill No. 1319 -- Courts - Gives chancery courts concurrent jurisdiction with circuit courts (and some general sessions courts) relative to contract debts and demands. Amends TCA Title 16, Chapter 10, Part 1. by *Windle.

House Bill No. 1320 -- Teachers - Provides that agriculture education teachers be employed on 12 month contract unless teacher specifically requests ten month contract. Amends TCA Title 49, Chapter 5, Part 4. by *Cross, *Rinks.

House Bill No. 1321 -- Pensions and Retirement Benefits - Increases TCRS base benefit improvement percentage to 10 percent from amount not to exceed 5 percent; permits local governments participating in TCRS to match percentage increase upon assumption of financial liability. Amends TCA Section 8-36-124. by *Head, *Rinks, *Davis R, *Cross, *Naifeh, *Stulce, *Maddox, *Huskey, *Kent, *McKee, *Cole (Carter).

House Bill No. 1322 -- Teachers - Permits public school teachers to retire at age 60 or upon completion of 25 years of creditable service. Amends TCA Title 8, Chapter 36. by *Winningham, *Davis R, *Cole (Dyer), *Cross, *Stulce, *Maddox, *Huskey, *Kent, *McKee, *Cole (Carter).

***House Bill No. 1323** -- Education - Removes state board of education qualifications for elected school directors and superintendents and baccalaureate degree requirements for appointed school directors and superintendents. Amends TCA Section 49-2-301. by *Winningham, *Windle, *Cross, *Stulce, *Maddox.

House Bill No. 1324 -- Welfare - Requires personal responsibility plan be developed jointly between recipient and DHS rather than by DHS; requires in home visits by department of health within 60 rather than 30 days. Amends TCA Title 71, Chapter 3. by *Arriola.

House Bill No. 1325 -- Professions and Occupations - Adds clinical pastoral therapists to board of professional counselors, and marital and family therapists. Amends TCA Title 63, Chapter 22. by *Arriola, *Walley, *Eckles, *Halteman Harwell, *Pruitt.

House Bill No. 1326 -- Pensions and Retirement Benefits - Raises percentage of state employee member's average final compensation used to determine service retirement allowance annuity from 1.5 to 1.6 percent. Amends TCA Section 8-36-206(1)(A). by *Rhinehart, *Davis R, *Cross, *Naifeh, *Stulce, *Maddox, *Huskey, *Kent, *McKee, *Cole (Carter), *Head, *Wood, *Rinks.

House Bill No. 1327 -- County Boundaries - Permits voter in area subject to boundary change to register to vote by mail. Amends TCA Title 2, Chapter 2; Title 5, Chapter 2 and Title 6, Chapter 51. by *Rhinehart.

House Bill No. 1328 -- Mental Retardation - Requires criminal background checks on persons employed to work with or have contact with persons with developmental disabilities. Amends TCA Section 33-1-209; Section 33-1-209; Section 38-6-114 and Section 38-6-114. by *Jackson, *McMillan, *Bowers, *Odom, *DeBerry J, *Eckles, *Turner (Hamilton).

House Bill No. 1329 -- Child Abuse - Enacts "1-800-NO ABUSE ACT of 1997.". by *Jackson, *McMillan, *Bowers, *Odom, *DeBerry J, *Eckles, *Turner (Hamilton).

House Bill No. 1330 -- Highway Signs - "Tennessee Rehabilitation Center," I-840 and I-40, Rutherford and Wilson counties. by *Eckles.

House Bill No. 1331 -- Domestic Violence - Requires rather than authorizes magistrate to impose conditions of bail designed to protect victim or defendant arrested for domestic violence offense or order of protection violation. Amends TCA Title 40, Chapter 11. by *Boner, *Jones, S..

House Bill No. 1332 -- Domestic Violence - Makes violation of domestic violence order of protection or court-approved consent agreement Class A misdemeanor rather than contempt of court. Amends TCA Title 36, Chapter 3, Part 6. by *Boner.

House Bill No. 1333 -- Public Officials - Restricts public officials and employees from certain private employment for period of 12 months after service. Amends TCA Title 39, Chapter 16. by *Boner.

House Bill No. 1334 -- Tort Liability - Bars liability for actual or punitive damages received on property of another while committing misdemeanor. Amends TCA Section 29-34-201. by *Boner.

House Bill No. 1335 -- Pardons and Paroles - Changes from three to four number of parole board members who must concur relative to parole, parole denial, parole revocation or parole rescission. Amends TCA Section 40-28-105. by *Boner, *Jones, S., *Odom.

House Bill No. 1336 -- Criminal Procedure - Changes from 14 to 30 days notice requirement for scheduled parole hearing. Amends TCA Section 40-28-505. by *Boner, *Jones, S., *Odom.

House Bill No. 1337 -- State Prisoners - Mandates that calculation of sentence reduction credits be same for all state inmates whether held by state or private correctional corporation that contracts with state. Amends TCA Section 41-21-236. by *Boner, *Jones, S., *Odom.

House Bill No. 1338 -- Criminal Procedure - Makes mandatory that trial judge charge possible penalties for offense charged and all lesser included offenses in all contested criminal cases. Amends TCA Section 40-35-201. by *Boner, *Jones, S., *Odom.

House Bill No. 1339 -- Crime, Victims of - Increases from \$7,000 to \$15,000 maximum award claimant can receive under Criminal Injuries Compensation Act. Amends TCA Title 29, Chapter 13; Title 40, Chapter 38 and Title 40, Chapter 24. by *Boner, *Jones, S., *Odom.

House Bill No. 1340 -- Sunshine Law - Makes board of directors of nonprofit corporations which contract with county having metropolitan form of government to provide heat, steam or incineration of refuse subject to open meetings law. Amends TCA Section 8-44-102. by *Boner.

House Bill No. 1341 -- Highway Signs - "Samuel S. Cole Memorial Bridge," S.R. 359, Carter County. by *Cole (Carter), *Whitson.

House Bill No. 1342 -- Municipal Government - Permits borrowing money, contracting debt and issuing bonds and notes to purchase electric power. Amends TCA Title 7, Chapter 52. by *Huskey.

House Bill No. 1343 -- Motor Vehicles, Titling and Registration - Requires person applying for registration or renewal of registration of motor vehicle to possess valid driver license to obtain registration plates; provides for certain exceptions. Amends TCA Title 55, Chapter 4, Part 1. by *Ford S., *Sharp, *Patton, *Haley, *Pleasant, *Lewis, *Hargett, *Bittle, *Stulce, *Fraleigh, *Curtiss, *Cole (Carter).

House Bill No. 1344 -- Education - Provides for parental review and inspection, during school office hours, of all teachers' manuals, films, tapes, computer programs and networks, technological instructional materials, and any material which is to be used by, viewed by, or made available to students, without limitation. Amends TCA Title 49, Chapter 6, Part 70. by *Boyer, *Pinion, *Stamps, *Bittle, *Wood, *Scroggs, *Sharp, *Dunn, *Walker, *Kerr, *Godsey.

House Bill No. 1345 -- Courts, General Sessions - Makes method of election for judges with respect to partisanship consistent for all divisions of court for county. Amends TCA Title 16, Chapter 15. by *Stulce, *Rinks, *Brown.

House Bill No. 1346 -- Forest and Forest Products - Enacts "Tennessee Forest Practices Act"; levies severance tax on pulpwood. by *Stulce, *Brown, *Eckles, *Tindell, *Armstrong, *Cross.

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1347 -- Campaigns - Increases maximum civil penalty for violation of Campaign Contributions Act of 1995 from \$10,000 to \$12,000. Amends TCA Title 2, Chapter 10, Part 3. by *Wood.

House Bill No. 1348 -- Municipal Government - Allows governing body of municipality to act by resolution regarding bonds issued by sports authority. Amends TCA Title 7, Chapter 67. by *Robinson.

House Bill No. 1349 -- Highways, Roads and Bridges - Directs department of transportation to implement directional signing program for wildlife management areas, wildlife refuges and state lakes. Amends TCA Title 54, Chapter 5, Part 7. by *Robinson.

House Bill No. 1350 -- DUI/DWI Offenses - Provides for immediate seizure and subsequent administrative revocation of driver license of DUI violator. by *Robinson.

House Bill No. 1351 -- DUI/DWI Offenses - Moves from court to department of safety procedure for revoking license of person refusing to submit to BAC. Amends TCA Title 55, Chapter 10. by *Robinson.

House Bill No. 1352 -- Criminal Offenses - Creates Class C misdemeanor offense of pedestrian interference, defined as intentionally obstructing pedestrian or vehicular traffic or aggressively begging in public place. Amends TCA Title 39, Chapter 17. by *Scroggs.

House Bill No. 1353 -- Telecommunications - Authorizes treble damages for failure to execute separate contracts for sale or lease of cellular phone and sale or lease of cellular phone service. Amends TCA Title 47, Chapter 18. by *Williams (Williamson).

House Bill No. 1354 -- Landlord and Tenant - Removes landlord's requirement that prospective tenants be furnished with security deposit account; extends period of time in which landlord must inspect premises and make list of damages to two working days rather than at time of termination of occupancy. Amends TCA Title 66, Chapter 28, Part 3. by *Ritchie.

House Bill No. 1355 -- Business Organizations - Limits information that professional corporation may be required to include in charter by regulation to that information required by professional corporation statute. Amends TCA Title 48, Chapter 101 and Title 48, Chapter 12. by *Ritchie.

House Bill No. 1356 -- Courts, Supreme Court of Tennessee - Requires supreme court judges to be elected by districts. Amends TCA Title 16, Chapter 2 and Title 16, Chapter 3, Part 1. by *Ritchie.

House Bill No. 1357 -- Smoking - Removes preemption of tobacco regulation legislation begun March 15, 1994. Amends TCA Title 39, Chapter 17. by *Ritchie.

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1358 -- Alcoholic Beverages - Permits home manufacture of beer for personal consumption. Amends TCA Title 39, Chapter 17, Part 7. by *Kernell, *West.

House Bill No. 1359 -- Driver Licenses - Requires all driver licenses issued to individuals under age 21 to expire 30 days after licensee's 21st birthday. Amends TCA Title 55, Chapter 50, Part 3. by *Ritchie.

House Bill No. 1360 -- Attorney General and Reporter - Authorizes attorney general and reporter to investigate and prosecute judges or district attorneys if appropriate district attorney general unable to do so because of conflict; authorizes judiciary committees to request investigation. Amends TCA Title 8 and Title 40. by *Ritchie.

House Bill No. 1361 -- Alcoholic Beverages - Permits beer manufacturer to qualify as restaurant and to make sales for off premises consumption. Amends TCA Title 57, Chapter 5. by *DeBerry L.

House Bill No. 1362 -- Drugs - Authorizes physicians to prescribe fenfluramine, its salts and isomers, and phentermine for medically accepted purposes. Amends TCA Title 39, Chapter 17, Part 4 and Title 63, Chapter 6, Part 2. by *DeBerry L, *Bowers, *Armstrong, *McDaniel, *Patton, *Walley, *Boyer, *Clabough, *DeBerry J, *Pruitt, *Davis R, *Burchett.

House Bill No. 1363 -- Cosmetology - Requires cosmetologist to obtain license from ABC before serving wine or alcoholic beverages. Amends TCA Section 62-4-127(b)(4). by *DeBerry L.

***House Bill No. 1364** -- Health - Requires testing of newborns for streptococcus A prior to discharge from hospital or as determined by rule of commissioner of health; prohibits health insurance policies from excluding coverage for this service. Amends TCA Title 56 and Title 68. by *Burchett.

House Bill No. 1365 -- Loan Companies - Authorizes sponsoring broker to apply to add broker's agents to its registration as industrial loan and thrift company subject to certain requirements. Amends TCA Title 45, Chapter 5. by *Burchett.

***House Bill No. 1366** -- Agriculture - Removes humane society members' authority to arrest and confiscate vehicles for alleged animal cruelty; requires agricultural extension agent or livestock specialist to examine any livestock alleged to have been abused prior to arrest of owner or confiscation of livestock. Amends TCA Title 39, Chapter 14, Part 2. by *Davidson, *Head, *Phelan, *Givens, *Bone, *Curtiss, *McDonald, *Jackson, *Buck.

House Bill No. 1367 -- Workers' Compensation - Authorizes injured employee to file workers' compensation claim in employee's county of residence or county in which accident occurred. Amends TCA Section 50-6-225. by *Sands.

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1368 -- Insurance Companies, Agents, Brokers - Restates and clarifies priorities of distribution from estates of insolvent insurance companies. Amends TCA Section 56-9-330. by *Sands.

House Bill No. 1369 -- Tennessee Higher Education Commission - Provides for approval by senate and house speakers of increases in salary of executive director of THEC Amends TCA Title 49, Chapter 7, Part 2. by *Pinion.

House Bill No. 1370 -- Education - Provides that salary of executive director of THEC cannot exceed salary of commissioner of education. Amends TCA Title 49. by *Pinion.

House Bill No. 1371 -- Education, Higher - Prohibits executive director of THEC from receiving more than \$100,000 per year in compensation; excludes insurance and retirement benefits available to all state employees. Amends TCA Title 49, Chapters 7, 8 and 9. by *Pinion.

House Bill No. 1372 -- Auctions and Auctioneers - Authorizes auctioneer commission to expend funds in account in excess of minimum balance and to employ investigator. Amends TCA Section 62-19-116. by *Pinion.

House Bill No. 1373 -- Auctions and Auctioneers - Revises auctioneer licensing law Amends TCA Title 62, Chapter 19, Part 1. by *Pinion.

House Bill No. 1374 -- Education, Higher - Restructures Tennessee higher education commission Amends TCA Title 49, Chapter 7. by *Pinion, *Patton, *Caldwell, *Hood.

House Bill No. 1375 -- Capital Punishment - Makes murder committed while on escape status aggravating factor in determining punishment for first degree murder if murder committed during period of time defendant would have been incarcerated if not for escape Amends TCA Title 39, Chapter 13, Part 2. by *Stamps.

House Bill No. 1376 -- Sentencing - Requires sentence for felony committed while incarcerated to be served consecutive to sentence for incarceration offense; forfeits good behavior credits inmate has earned prior to felony committed while incarcerated Amends TCA Section 40-35-115 and 41-21-236. by *Stamps.

House Bill No. 1377 -- Insurance, Health, Accident - Extends from three to five years period secretary of state retains reports on noncompensatory payments to hospital and medical service board members. Amends TCA Section 56-29-105. by *DeBerry J.

House Bill No. 1378 -- Education - Sets kindergarten age at five and mandatory school attendance age at six rather than seven years of age; exempts certain home school or non-public school students. Amends TCA Title 49, Chapter 6, Part 30. by *Towns, *Jones U (Shelby), *Cooper B, *DeBerry J, *Miller L, *Pleasant, *Turner (Shelby).

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1379 -- Education - Provides for specific funding for technology equipment and necessary associated school infrastructure improvements, in addition to BEP funding. Amends TCA Title 49, Chapter 1. by *Cooper B, *Bowers, *DeBerry J, *Miller L, *Jones U (Shelby), *Turner (Shelby).

House Bill No. 1380 -- Education - Changes implementation date on Sanders performance evaluation model from July 1, 1996 to July 1, 2001. Amends TCA Title 49, Chapter 1, Part 6. by *Jones U (Shelby), *Bowers, *Cooper B, *DeBerry J, *Miller L, *Turner (Shelby).

House Bill No. 1381 -- Education - Provides that local educational funding in counties with populations of 250,000 or more with more than one school system may be apportioned on either the basis of BEP funding or WFETADA. Amends TCA Section 49-3-315. by *Towns, *Jones U (Shelby), *Cooper B, *DeBerry J, *Miller L, *Turner (Shelby).

House Bill No. 1382 -- Economic and Community Development - Adds developing strategies to preserve historic buildings located within community-based development districts. Amends TCA Title 13, Chapter 14. by *Odom.

House Bill No. 1383 -- Tort Liability - Holds harmless police officer in hot pursuit which results in injury to third party; imposes liability on officer's employer if officer's decision is unreasonable. Amends TCA Section 38-8-112 and Title 55, Chapter 8. by *Odom.

House Bill No. 1384 -- Employees, Employers - Authorizes employees to exercise statutory or procedural rights without sanction by employer. Amends TCA Title 50, Chapter 1. by *Odom.

House Bill No. 1385 -- Workers' Compensation - Adds representative of Tennessee Trial Lawyers Association to workers' compensation advisory board. Amends TCA Section 50-6-121. by *Jones, S..

House Bill No. 1386 -- Tort Liability - Allows person entitled to recover damages in wrongful death action to recover medical and funeral expenses, and damages for loss of past and future earning capacity. Amends TCA Section 20-5-113. by *Jones, S..

House Bill No. 1387 -- Products Liability - Authorizes Tennessee to change statute of repose period in products liability actions to conform to any federal products liability legislation that may be enacted. Amends TCA Title 29, Chapter 28, Part 1. by *Buck.

House Bill No. 1388 -- Civil Procedure - Allows plaintiff to name "John Doe" defendant(s) in situation in which plaintiff unable to determine identity of defendant prior to running of statute of limitations. Amends TCA Title 20, Chapter 1, Part 1. by *Buck.

House Bill No. 1389 -- Aged Persons - Requires commission on aging members to make known indirect conflicts of interests and be excused from the proceedings. by *Jones, S..

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1390 -- Hospitals and Health Care Facilities - Redefines "unexpected loss" to include absence due to serious injury relative to loss of nursing home administrator. Amends TCA Title 68, Chapter 11. by *Jones, S..

House Bill No. 1391 -- Insurance, Health, Accident - Requires health insurers and HMOs to cover reconstructive breast surgery when mastectomy was covered. Amends TCA Title 56. by *Halteman Harwell.

House Bill No. 1392 -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates for members of the clergy Amends TCA Title 55, Chapter 4. by *Cross, *Ridgeway, *Ferguson, *Garrett, *Robinson, *Turner (Hamilton).

House Bill No. 1393 -- Taxes, Privilege - Abolishes occupational privilege tax. Amends TCA Section 3-6-113; Section 49-7-2112 and Title 67, Chapter 4, Part 17. by *DeBerry J.

House Bill No. 1394 -- State Employees - Enacts "State Employees Inclement Weather Leave Act." Amends TCA Title 8, Chapter 50. by *Tindell, *Armstrong, *Ritchie, *Burchett, *Boyer, *Bittle, *Dunn.

House Bill No. 1395 -- Pensions and Retirement Benefits - Provides for funding of pension benefits for past service of employees of defunct local governments through bonds issued for public works projects under Local Government Public Obligations Act of 1986. Amends TCA Title 9, Chapter 21, Part 1. by *Tindell, *Armstrong, *Ritchie, *Burchett, *Dunn, *Boyer, *Bittle.

House Bill No. 1396 -- Taxes, Real Property - Permits county or municipality to estimate general level of local assessment changes if taxes become due prior to disposition of appeals. Amends TCA Title 67, Chapter 5. by *Tindell, *Dunn, *Burchett, *Boyer, *Bittle, *Ritchie, *Armstrong.

House Bill No. 1397 -- Sports - Permits mayor rather than council to appoint sports authority members in Jackson; establishes sales tax allocation for AA baseball affiliate to finance project of sports authority Amends TCA Title 7, Chapter 67 and Section 67-6-103. by *Kisber, *McDaniel.

***House Bill No. 1398** -- Telecommunications - Clarifies that "telecommunications" definition under sales and use tax applies to facsimile transmissions. Amends TCA Title 67, Chapter 6. by *Kisber, *Cole (Dyer).

House Bill No. 1399 -- Taxes, Privilege - Increases minimum franchise tax from \$10.00 to \$20.00. Amends TCA Title 4 and Title 67, Chapter 4. by *Kisber.

House Bill No. 1400 -- Garnishments and Executions - Authorizes employers to retain \$5.00 administrative fee for each payment made to judgment debtor for garnishment. Amends TCA Title 26, Chapter 2. by *Kisber.

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1401 -- Pensions and Retirement Benefits - Allows retirement allowance increase if consumer price index rises at least 0.5 percent instead of present 1 percent. Amends TCA Section 8-36-701. by *Kisber, *Head, *Davidson, *Davis R, *Cross, *Curtiss, *Naifeh, *Stulce, *Maddox, *Huskey, *Kent, *McKee, *Cole (Carter), *Rhinehart, *Wood, *Rinks, *Cole (Dyer).

House Bill No. 1402 -- Lobbying, Lobbyists - Restricts application of lobbyist prohibitions to registered lobbyists; revises other provisions of restrictions. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by *Kisber.

House Bill No. 1403 -- Bail, Bail Bonds - Restricts bail bondsman continuing education requirement to person qualified as bondsman; changes date within which certificate of compliance for continuing education requirement must be filed from July 15, 1997 to January 1, 1998. Amends TCA Title 40, Chapter 11. by *Buck.

House Bill No. 1404 -- Sentencing - Adds, as a category of aggravating circumstances in determining punishment for persons convicted of first degree murder, cases in which the victim was particularly defenseless due to severe handicap or severe disability. Amends TCA Title 39, Chapter 13, Part 2. by *Buck.

House Bill No. 1405 -- Campaigns - Establishes standard for civil damages in defamation against candidate for public office. Amends TCA Title 2 and Title 29, Chapter 24. by *Naifeh, *Hargrove, *Kisber.

House Bill No. 1406 -- Advertising - Creates Class A misdemeanor to sell or lease billboard space or other structure for advertising or promoting lottery; punishable by fine up to \$2,500 for each violation. Amends TCA Title 54, Chapter 21, Part 1. by *Dunn, *Wood.

House Bill No. 1407 -- Abortion - Requires non-resident attending physician who performs abortion to maintain on-call arrangement with physician who resides in county where abortion performed and to provide physician information to patient at time of dismissal from facility. Amends TCA Title 39, Chapter 15, Part 2. by *Dunn, *Pinion, *Stamps, *Wood, *Scroggs.

House Bill No. 1408 -- Motor Vehicles, Titling and Registration - Includes "KIDS FIRST" license plates in promotional campaign conducted by division of motor vehicles to increase public's awareness of availability, design and purpose of such plates. Amends TCA Title 55, Chapter 4. by *White, *Brooks, *Sharp.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 17** -- Highway Signs - "Veterans Memorial Parkway," segment of U.S. 421 in Johnson County. by *Crowe. (HB 404)

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

***Senate Bill No. 18** -- Highway Signs - "Veterans Memorial Parkway," U.S. 19E in Carter County. by *Crowe. (HB 493)

***Senate Bill No. 42** -- Textbooks - Provides for specific notice of meetings of state textbook commission to representatives of Tennessee school boards association, school superintendents' association, and Tennessee education association. Amends TCA Section 49-6-2201(i). by *Womack. (HB 1551)

***Senate Bill No. 118** -- Health, Dept. of - Permits "other home care accrediting organizations" recognized by HCFA, in addition to joint commission on accreditation of health care organizations, as entities who may accredit home medical equipment providers to be eligible for presumptive licensing by board for licensing health care facilities. Amends TCA Section 68-11-226. by *Cooper. (HB 1135)

Senate Bill No. 162 -- Children - Authorizes investments by trustee and fiduciary of minor's trust funds in tuition units under B.E.S.T. Act Amends TCA Title 35, Chapter 3. by *Womack. (HB 224)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1126 -- Banks and Financial Institutions -- House Commerce Committee

House Bill No. 1127 -- Housing -- House Judiciary Committee

House Bill No. 1128 -- Telecommunications -- Caption Bill Held on House Desk

House Bill No. 1129 -- Local Government, General -- House State & Local Government Committee

House Bill No. 1130 -- TennCare -- Caption Bill Held on House Desk

House Bill No. 1131 -- Education, Higher -- House Education Committee

House Bill No. 1132 -- Highway Signs -- House Transportation Committee

House Bill No. 1133 -- Annexation -- Caption Bill Held on House Desk

House Bill No. 1134 -- Pharmacy -- House Health & Human Resources Committee

House Bill No. 1135 -- Health, Dept. of -- House Health & Human Resources Committee

House Bill No. 1136 -- Private Protective Services -- House Commerce Committee

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

- House Bill No. 1137** -- Taxes, Privilege -- House Finance, Ways & Means Committee
- House Bill No. 1138** -- Driver Education -- House Transportation Committee
- House Bill No. 1139** -- Tort Liability -- House Judiciary Committee
- House Bill No. 1140** -- Custody and Support -- Caption Bill Held on House Desk
- House Bill No. 1141** -- Regional Authorities -- House Finance, Ways & Means Committee
- House Bill No. 1142** -- Insurance Companies, Agents, Brokers -- House Commerce Committee
- House Bill No. 1143** -- Judges and Chancellors -- House Judiciary Committee
- House Bill No. 1144** -- Ethics -- House State & Local Government Committee
- House Bill No. 1145** -- Contractors -- House Commerce Committee
- House Bill No. 1146** -- Fiduciaries -- Caption Bill Held on House Desk
- House Bill No. 1147** -- Motor Vehicles, Titling and Registration -- Caption Bill Held on House Desk
- House Bill No. 1148** -- Advertising -- House Transportation Committee
- House Bill No. 1149** -- Telecommunications -- Caption Bill Held on House Desk
- House Bill No. 1150** -- Taxes, Sales -- Caption Bill Held on House Desk
- House Bill No. 1151** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 1152** -- Banks and Financial Institutions -- House Commerce Committee
- House Bill No. 1153** -- Licenses -- House State & Local Government Committee
- House Bill No. 1154** -- Education -- House Education Committee
- House Bill No. 1155** -- Campaigns -- House State & Local Government Committee
- House Bill No. 1156** -- Financial Disclosure -- House State & Local Government Committee
- House Bill No. 1157** -- Campaigns -- House State & Local Government Committee

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1158 -- Insurance, Health, Accident -- Caption Bill Held on House Desk

House Bill No. 1159 -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 1160 -- Sexual Offenses -- House Children and Family Affairs Committee

House Bill No. 1161 -- Children -- House Children and Family Affairs Committee

House Bill No. 1162 -- Public Records -- House Judiciary Committee

House Bill No. 1163 -- Workers' Compensation -- House Consumer & Employees Affairs Committee

House Bill No. 1164 -- Taxes, Real Property -- House State & Local Government Committee

House Bill No. 1165 -- Regional Authorities -- House Transportation Committee

House Bill No. 1166 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 1167 -- Courts -- House Judiciary Committee

House Bill No. 1168 -- Annexation -- House State & Local Government Committee

House Bill No. 1169 -- Forest and Forest Products -- House Agriculture Committee

House Bill No. 1170 -- State Employees -- House State & Local Government Committee

House Bill No. 1171 -- State Employees -- House State & Local Government Committee

House Bill No. 1172 -- State Employees -- House State & Local Government Committee

House Bill No. 1173 -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

House Bill No. 1174 -- Pharmacy -- Caption Bill Held on House Desk

House Bill No. 1175 -- Alcoholic Beverages -- House State & Local Government Committee

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1176 -- Taxes, Privilege -- House Finance, Ways & Means Committee

House Bill No. 1177 -- Insurance, Motor Vehicles -- House Commerce Committee

House Bill No. 1178 -- Architects and Engineers -- House Commerce Committee

House Bill No. 1179 -- Local Education Agency -- House Education Committee

House Bill No. 1180 -- Juvenile Offenders -- Caption Bill Held on House Desk

House Bill No. 1181 -- Crime, Victims of -- House Judiciary Committee

House Bill No. 1182 -- Inheritance Laws -- Caption Bill Held on House Desk

House Bill No. 1183 -- Taxes, Income -- House Finance, Ways & Means Committee

House Bill No. 1184 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 1185 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 1186 -- Highway Signs -- House Transportation Committee

House Bill No. 1187 -- Education, Higher -- House Education Committee

House Bill No. 1188 -- Taxes -- Caption Bill Held on House Desk

House Bill No. 1189 -- Annexation -- House State & Local Government Committee

House Bill No. 1190 -- Taxes -- Caption Bill Held on House Desk

House Bill No. 1191 -- Taxes, Sales -- House State & Local Government Committee

House Bill No. 1192 -- Annexation -- Caption Bill Held on House Desk

House Bill No. 1193 -- General Assembly -- House State & Local Government Committee

House Bill No. 1194 -- Election Laws -- House State & Local Government Committee

House Bill No. 1195 -- Election Laws -- House State & Local Government Committee

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1196 -- General Assembly -- House State & Local Government Committee

***House Bill No. 1197** -- Criminal Procedure -- House Judiciary Committee

House Bill No. 1198 -- Game and Fish Laws -- House Conservation & Environment Committee

***House Bill No. 1199** -- Game and Fish Laws -- House Conservation & Environment Committee

House Bill No. 1200 -- Taxes, Privilege -- House Finance, Ways & Means Committee

House Bill No. 1201 -- Schools, Private and Charter -- House Education Committee

House Bill No. 1202 -- Fees -- House Judiciary Committee

House Bill No. 1203 -- Driver Licenses -- House Transportation Committee

House Bill No. 1204 -- Driver Licenses -- Caption Bill Held on House Desk

***House Bill No. 1205** -- Driver Licenses -- House Transportation Committee

House Bill No. 1206 -- Vocational Training and Rehabilitation -- House Education Committee

House Bill No. 1207 -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 1208 -- Metropolitan Government -- Caption Bill Held on House Desk

House Bill No. 1209 -- Metropolitan Government -- Caption Bill Held on House Desk

House Bill No. 1210 -- Education, Higher -- House Education Committee

House Bill No. 1211 -- Juvenile Offenders -- House Children and Family Affairs Committee

***House Bill No. 1212** -- Banks and Financial Institutions -- House Commerce Committee

***House Bill No. 1213** -- Tobacco, Tobacco Products -- House Agriculture Committee

House Bill No. 1214 -- Firearms and Ammunition -- House Judiciary Committee

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1215 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 1216 -- Taxes, Soft Drinks -- Caption Bill Held on House Desk

House Bill No. 1217 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 1218 -- Professions and Occupations -- House Government Operations Committee

House Bill No. 1219 -- Taxes, Privilege -- House Finance, Ways & Means Committee

House Bill No. 1220 -- Bond Issues -- Caption Bill Held on House Desk

House Bill No. 1221 -- Real Estate Agents and Brokers -- Caption Bill Held on House Desk

House Bill No. 1222 -- Taxes, Sales -- Caption Bill Held on House Desk

House Bill No. 1223 -- Solid Waste Disposal -- Caption Bill Held on House Desk

House Bill No. 1224 -- Taxes, Excise -- House Finance, Ways & Means Committee

House Bill No. 1225 -- Taxes, Gasoline, Petroleum Products -- House Transportation Committee

House Bill No. 1226 -- Alcoholic Beverages -- House State & Local Government Committee

House Bill No. 1227 -- Taxes -- Caption Bill Held on House Desk

House Bill No. 1228 -- Taxes, Business -- Caption Bill Held on House Desk

House Bill No. 1229 -- Taxes -- Caption Bill Held on House Desk

House Bill No. 1230 -- Teachers -- Caption Bill Held on House Desk

House Bill No. 1231 -- Taxes, Real Property -- House State & Local Government Committee

House Bill No. 1232 -- State Government -- Caption Bill Held on House Desk

House Bill No. 1233 -- Appropriations -- House State & Local Government Committee

House Bill No. 1234 -- Boards and Commissions -- Caption Bill Held on House Desk

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1235 -- Local Government, General -- House State & Local Government Committee

***House Bill No. 1236** -- Disabled Persons -- House Consumer & Employees Affairs Committee

***House Bill No. 1237** -- Agriculture -- House Agriculture Committee

***House Bill No. 1238** -- Medicine, Practice of -- House Judiciary Committee

***House Bill No. 1239** -- Local Education Agency -- House Education Committee

***House Bill No. 1240** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

***House Bill No. 1241** -- Agriculture -- House Agriculture Committee

***House Bill No. 1242** -- TennCare -- House Health & Human Resources Committee

***House Bill No. 1243** -- Taxes, Franchise -- Caption Bill Held on House Desk

***House Bill No. 1244** -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 1245** -- Health -- House Health & Human Resources Committee

***House Bill No. 1246** -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 1247** -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 1248** -- Milk, Dairy Products -- House Agriculture Committee

***House Bill No. 1249** -- Weights and Measures -- House Agriculture Committee

***House Bill No. 1250** -- Taxes, Sales -- Caption Bill Held on House Desk

***House Bill No. 1251** -- Parks, Natural Areas Preservation -- House Conservation & Environment Committee

***House Bill No. 1252** -- Unemployment Compensation -- Caption Bill Held on House Desk

***House Bill No. 1253** -- Managed Care Organizations -- House Commerce Committee

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

***House Bill No. 1254** -- Managed Care Organizations -- House Commerce Committee

***House Bill No. 1255** -- Health -- House Judiciary Committee

***House Bill No. 1256** -- TennCare -- House Commerce Committee

***House Bill No. 1257** -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 1258** -- Education -- Caption Bill Held on House Desk

***House Bill No. 1259** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

***House Bill No. 1260** -- Agriculture, Dept. of -- House Agriculture Committee

***House Bill No. 1261** -- Securities -- House Commerce Committee

***House Bill No. 1262** -- Agriculture -- House Government Operations Committee

***House Bill No. 1263** -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 1264** -- Water -- House Health & Human Resources Committee

***House Bill No. 1265** -- Sentencing -- House Judiciary Committee

***House Bill No. 1266** -- Civil Service -- House State & Local Government Committee

***House Bill No. 1267** -- Mental Illness -- House Health & Human Resources Committee

***House Bill No. 1268** -- Taxes, Excise -- House Finance, Ways & Means Committee

***House Bill No. 1269** -- Interstate Compacts -- House State & Local Government Committee

House Bill No. 1270 -- Commerce and Insurance, Dept. of -- Caption Bill Held on House Desk

House Bill No. 1271 -- Managed Care Organizations -- House Commerce Committee

House Bill No. 1272 -- Insurance, Health, Accident -- Caption Bill Held on House Desk

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1273 -- Custody and Support -- House Children and Family Affairs Committee

House Bill No. 1274 -- Public Records -- House Judiciary Committee

House Bill No. 1275 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 1276 -- Firearms and Ammunition -- House Judiciary Committee

House Bill No. 1277 -- Law Enforcement -- House State & Local Government Committee

House Bill No. 1278 -- Private Protective Services -- House Commerce Committee

House Bill No. 1279 -- Tort Liability -- House Judiciary Committee

House Bill No. 1280 -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 1281** -- Alcoholic Beverages -- House State & Local Government Committee

House Bill No. 1282 -- Custody and Support -- Caption Bill Held on House Desk

House Bill No. 1283 -- Custody and Support -- Caption Bill Held on House Desk

House Bill No. 1284 -- Welfare -- House Health & Human Resources Committee

House Bill No. 1285 -- Welfare -- House Health & Human Resources Committee

House Bill No. 1286 -- Economic and Community Development -- House Finance, Ways & Means Committee

House Bill No. 1287 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 1288 -- Drugs -- House Judiciary Committee

House Bill No. 1289 -- Trusts -- House Judiciary Committee

House Bill No. 1290 -- Penal and Reformatory Institutions -- Caption Bill Held on House Desk

House Bill No. 1291 -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 1292 -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 1293 -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 1294 -- Taxes, Sales -- House Finance, Ways & Means Committee

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Bill No. 1295 -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 1296 -- Securities -- House Commerce Committee

House Bill No. 1297 -- Motor Vehicles -- Caption Bill Held on House Desk

House Bill No. 1298 -- Tennessee Regulatory Authority -- Caption Bill Held on House Desk

House Bill No. 1299 -- Motor Vehicles -- Caption Bill Held on House Desk

House Bill No. 1300 -- Hospitals and Health Care Facilities -- Caption Bill Held on House Desk

House Bill No. 1301 -- State Employees -- House Education Committee

House Bill No. 1302 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 1303 -- TennCare -- House Commerce Committee

House Bill No. 1304 -- Health -- Caption Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **February 20, 1997**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for February 24, 1997: House Bill(s) No(s). 316.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for February 24, 1997: House Bill(s) No(s). 414 and House Joint Resolution(s) No(s). 18 and 1.

**CAPTION BILLS REFERRED
February 20, 1997**

Pursuant to Rule No. 47, the following Caption Bill(s) held on the Clerk's desk was/were referred to the following Committee(s):

***House Bill No. 303** -- Housing -- House Health & Human Resources Committee

CONSENT CALENDAR

House Joint Resolution No. 50 -- Memorials, Public Service - George Martin. by *Fowlkes.

House Joint Resolution No. 51 -- Memorials, Death - David Gotten. by *Hargett.

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

House Joint Resolution No. 53 -- Memorials, Congratulations - City of LaVergne, 25th Anniversary. by *Beavers.

House Joint Resolution No. 55 -- Memorials, Sports - David "Smokey" Gaines. by *DeBerry L.

House Joint Resolution No. 56 -- Memorials, Death - Cynthia Ellen Nutt-Roberts. by *DeBerry L.

House Joint Resolution No. 57 -- Memorials, Academic Achievement - Students at Greater Abyssinia Church. by *DeBerry L.

House Joint Resolution No. 58 -- Memorials, Sports - Jill Pruden, Oak Ridge High School girls' basketball coach. by *Caldwell.

House Joint Resolution No. 59 -- Memorials, Death - William M. Leech, Jr. by *Sands.

House Joint Resolution No. 60 -- Memorials, Public Service - Judge William Lewis (Chink) Brown. by *McAfee, *Stulce, *Wood, *Sharp, *Brown, *Turner (Hamilton).

House Resolution No. 20 -- Memorials, Death - Floyd H. Bowers. by *Dunn, *Burchett, *Clabough.

House Resolution No. 21 -- Memorials, Personal Occasion - Elsie Mae Glisson - 100th birthday. by *Maddox.

House Resolution No. 22 -- Memorials, Personal Occasion - Mr. and Mrs. Allen Scott, 50th anniversary. by *White.

House Resolution No. 23 -- Memorials, Illness - Bob Wallace. by *Hargrove.

Rep. Hargrove moved that all members voting aye on **House Joint Resolution No. 59** and **House Resolution No. 23** be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels,

Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 5 -- Statutes - Codifies public acts of 1996. by *Hargrove. (*SB1 by *Wilder, *Person)

On motion, House Bill No. 5 was made to conform with **Senate Bill No. 1**; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that **Senate Bill No. 1** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

***House Bill No. 43** -- Highways, Roads and Bridges - Authorizes tourist oriented directional signs on scenic highways in Van Buren, Sequatchie, Bledsoe, Grundy, Macon and Warren counties. Amends TCA Section 54-17-109. by *Rhinehart. (SB109 by *Rochele)

Rep. Rhinehart moved that **House Bill No. 43** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

House Bill No. 45 -- Highway Signs - "Elizabeth Yancy Griffin Memorial Bridge," S.R. 1, Arlington. by *Haley, *Pleasant, *Scroggs, *Newton. (*SB33 by *Leatherwood)

Rep. Haley moved that **House Bill No. 45** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Joint Resolution No. 47 -- Memorials, Public Service - Former Representative Bill Purcell, service as member and chairman, select committee on children and youth. by *DeBerry L, *Naifeh, *Ridgeway, *Hargrove, *Chumney, *McMillan, *DeBerry L.

THURSDAY, FEBRUARY 20, 1997 -- NINTH LEGISLATIVE DAY

Further consideration of House Bill No. 47 previously considered on February 19, 1997, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for February 20, 1997.

Rep. L. DeBerry moved that House Joint Resolution No. 47 be adopted.

Rep. L. DeBerry all members voting aye on House Joint Resolution No. 47 be added as sponsor, which motion prevailed.

Rep. L. DeBerry moved that **House Joint Resolution No. 47** be adopted, which motion prevailed by the following vote:

Ayes	99
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Boner moved that the rules be suspended for the purpose of introducing House Resolution No. 25 out of order, which motion prevailed.

House Resolution No. 25 -- Memorials, Recognition and Thanks - African Methodist Episcopal Church. by *Boner, *Langster.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Boner, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Buck moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 64 out of order, which motion prevailed.

Senate Joint Resolution No. 64 -- Naming and Designating - "Leona Lusk Officer Black Cultural Center," Tennessee Technological University. by *Burks.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Buck, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. John DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 62 out of order, which motion prevailed.

House Joint Resolution No. 62 -- Memorials, Personal Occasion - Barry T. Lincoln, 50th birthday. by *DeBerry J.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. John DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 221: Rep(s). Bowers, L. DeBerry, McMillan, S. Jones, Pruitt and Chumney as prime sponsor(s).

House Bill No. 222: Rep(s). S. Jones and Pruitt as prime sponsor(s).

House Bill No. 223: Rep(s). Bowers, L. DeBerry, McMillan, Langster, S. Jones, Pruitt and Chumney as prime sponsor(s).

House Bill No. 875: Rep(s). Turner (Hamilton) as prime sponsor(s).

MESSAGE FROM THE SENATE
February 20, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 158 and 280; both passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 158** -- Fees - Authorizes register of deeds in Anderson County to demand \$2.00 fee for data processing for each instrument recorded; fee to be allocated for purchase of computer equipment, upgrades, supplies and maintenance used in register's office. Amends TCA Section 8-21-1001. by *McNally.

***Senate Bill No. 280** -- County Officers - Lists persons who may administer oath to elected or appointed officials; permits official to take oath of office after certification of results or following appointment but before term officially begins. Amends TCA Title 8, Chapter 18. by *Haun.

ENROLLED BILLS
February 20, 1997

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 41, 44, 45, 53 and 60; also, House Resolution(s) No(s). 20, 21, 22, 23 and 25.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS
February 20, 1997

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 46.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
February 20, 1997

The Speaker signed the following: House Joint Resolution(s) No(s). 41, 44, 45, 53 and 60; also, House Resolution(s) No(s). 20, 21, 22, 23 and 25.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
February 20, 1997

The Speaker signed the following: House Joint Resolution(s) No(s). 46

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

February 20, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 64; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

February 20, 1997

The Speaker signed the following: Senate Joint Resolution(s) No(s). 64.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 5:00 p.m., Monday, February 24, 1997.